

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

DAVID MICHAEL MANSFIELD,

Plaintiff,

v.

No. 17-CV-00816-KG-GBW

FNU FLOREZ and FNU HERNANDEZ,


Defendants.

ORDER OF DISMISSAL

This matter is before the Court, *sua sponte*. On August 9, 2017, Plaintiff David Michael Mansfield filed a Prisoner's Motion and Affidavit For Leave To Proceed Pursuant to 28 U.S.C. § 1915. (Doc. 2). The Court ordered Plaintiff to submit a certified copy of his inmate account statement for the six-month period immediately preceding the filing of his civil rights complaint, as required by 28 U.S.C. § 1915(a)(2). (Doc. 5). Plaintiff failed to submit a certified copy of his inmate account statement by the designated deadline and, therefore, the Court ordered Plaintiff to show cause why his civil rights complaint should not be dismissed. (Doc. 6). The Court warned Plaintiff that "[f]ailure to timely file a written show cause response will result in the dismissal of Plaintiff's civil rights complaint without prejudice without further notice." (Doc. 6).

Plaintiff's written show cause response was due on or before November 2, 2017, but as of this date, Plaintiff has not responded to the Court's Order To Show Cause. In light of Plaintiff's failure to comply with the Court's orders, Plaintiff's Prisoner's Civil Rights Complaint (Doc. 1) will be dismissed without prejudice pursuant to Fed. R. Civ. P. 41(b). *See* Fed. R. Civ. P. 41(b) (providing for involuntary dismissal "[i]f the plaintiff fails to prosecute or to comply with these rules or a court order").

IT IS THEREFORE ORDERED that Plaintiff's Prisoner's Civil Rights Complaint (Doc. 1) is DISMISSED without prejudice; all pending motions are DENIED as moot; and judgment will be entered.



UNITED STATES DISTRICT JUDGE